

281646

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 4, 1999.

**PATENT**

Atty. Docket No. DX0744K

#9  
10/21/99

**RECEIVED**

OCT 12 1999

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Karin FRANZ-BACON, et al.

Serial No.: 09/099,898

Filed: June 18, 1998

For: MAMMALIAN GENES; RELATED REAGENTS

Examiner: G. Draper

Art Unit: 1646

**TECH CENTER 1600/2900**

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT

Palo Alto, California 94304

October 1, 1999

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The materials as listed in the attached modified PTO 1449 form are brought to the Examiner's attention pursuant to the duty of disclosure under 37 C.F.R. § 1.56, § 1.97, and § 1.98.

Citation of these documents should not be construed as a representation that the documents are in fact material or are in fact prior art with respect to the instant invention. The Examiner should not make any inference relating to the relative pertinence of cited references based upon the order in which the art is presented. Citation of these documents should not be construed as a representation that a search has been made or that more pertinent art may not be in existence.

Enclosed for the Examiner's review are copies of the results of the highest matching sequences found published in the Derwent Geneseq patent sequence database in connection with the relevant sequences. A homology search description document is included that describes how the searches were performed and

what each record contains. If there are questions regarding these searches, Applicants would welcome the Examiner to contact the undersigned at (650)496-1204.

Applicants have reviewed these searches and have included a copy of a PCT application whose high sequence matching scores indicate that it may be relevant to this application. This reference is identified as reference BG.

Applicants request that the Examiner fully consider the art cited in the attached modified PTO 1449 form. Applicants further request that the Patent and Trademark Office list all such art on the front of any patent issuing from this application.

Since this Information Disclosure Statement is being filed within three months of our awareness of the search results, Applicants believe no fee is required for filing this document; however, if such a fee is required the Commissioner is hereby authorized to charge DNAX Research Institute's Deposit Account No. 04-1239.

Respectfully submitted,

October 1, 1999

By: Edwin P. Ching  
Edwin P. Ching  
Attorney for Applicants  
Reg. No. 34,090

Enclosures:

1. Homology Search Description document (1 page);
2. Modified PTO 1449 form (1 page);
3. Derwent Geneseq patent sequence search re: Seq.ID No.:2, last updated 8/8/99;
4. Return postcard.



09/099, 898

## HOMOLOGY SEARCH DESCRIPTION

### How the Search was Performed:

A homology search was performed for each DNAX sequence against Derwent's DGene database. Each record judged to be a homology for a DNAX sequence is assigned a Smith-Waterman similarity score to that DNAX sequence. Each set of homologous records is sorted by this score, and the highest significant matching records are printed.

The on-line search system has a limit of around 200 characters per line, with a standard search, but means to increase such to about 750 characters have been discovered.

### What Each Record Contains:

Each record contains patent information and identifies the sequence and where the comparison is made.

Similarity information is found at the end of each record. The Smith-Waterman score is shown along with the number of amino acids found to overlap with the DNAX sequence.

A display comparing the DNAX sequence to the retrieved sequence is also given. The DNAX sequence is displayed on top of the retrieved sequence. The display also shows a line between the two sequences that gives the information about the degree of similarity:

- 2 dots represent identical amino acids
- 1 dot indicates amino acids of the same family
- A blank occurs if there is no match
- Gaps in the sequence are shown with an underscore